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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,759	05/10/2006	Shuji Murata	IS-US030671	6174

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EXAMINER	
GIBSON, RANDY W	

ART UNIT	PAPER NUMBER
2841	

MAIL DATE	DELIVERY MODE
08/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/595,759	MURATA ET AL.	
	Examiner	Art Unit	
	Randy W. Gibson	2841	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 May 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *2/12/07&7/18/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graffin (US # 6,073,667) in view of "How Real Electric Motors Work: 1. Induction Motors", Physics Resources for Teachers and Students, John Story, University of New South Wales, School of Physics, Sydney, Australia (hereafter, "Real Electric Motors"), "Induction Motors" Hyper-Physics: Electricity and Magnetism, C.R. Nave, Georga State University, Department of Physics and Astronomy (hereafter "Induction Motors"), and "Basic AC/DC Power Supplies". See ***MPEP*** § 2124 for the exception to the rule that the publishing date of the reference must preceed the applicant's effective filing date.

Graffin shows a weighing member (5) for weighing an object while moving (Col. 2, lines 31-36). Graffin does not expressly describe the power supply mechanism for rotating the weighing table.

The "power supply" mechanism described in the last paragraph of claim 1 is nothing more than what is commonly known in physics as an "Induction Motor". These types of motors are practically ubiquitous, since they are easy & cheap to manufacture, tend to be quiet (an advantage in a noisy factory environment), dependable, rugged, and create little EM interference. See "Real Electric Motors" and "Induction Motors". It would have been obvious to the ordinary practioner to use a common type of electric motor in the device of Graffin motivated by their known suitability for their intended use. See ***MPEP*** § 2144.07.

In claim 2, applicant mentions that the same power supply that powers the induction motor also powers the electronic load cells. The examiner notes that this is not uncommon, since the power to run a machine usually comes from one source, namely the power company, and most machines take the AC power coming in from the wall and step it down into different voltages for use by different circuits within the machine as needed. See ***MPEP*** § 2144.03.

With respect to claim 3, the examiner notes that load cells tend to run off of DC current, and as the "Basic AC-DC Power Supplies" worksheet shows, it is typical for incoming AC power to be rectified and filtered (smoothed) to create DC power for use by the electronic device (pp. 2-9 & 27 [Notes 3]).

Claim 4 simply states that the load cell does not have a separate battery (charger). The examiner notes that this is typical.

Claim 5 simply claims that the motor is apparently mounted horizontally, but the shaft of the weighing table is mounted vertically. This is a typical configuration that is easily implemented using a right angle gear. See ***MPEP*** § 2144.04(VI).

With respect to claim 8, Graffin does not mention transmitting weight data wirelessly, but such is old and well known in the art, and would have been obvious to reduce the need for wires.

With respect to claim 10, it seems self evident that the microprocessor controller will have a data storage section (RAM) for storing weight data for future reference.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randy W. Gibson whose telephone number is (571) 272-2103. The examiner can normally be reached on Mon-Fri., 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean A. Reichard can be reached on (571) 272-1984. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Randy W. Gibson
Primary Examiner
Art Unit 2841